

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Russell D. Bromley
Lori A. Bromley
Debtor(s)

Bankruptcy Case No.: 17-10378-TPA
Per August 8, 2017 Proceeding
Chapter: 13
Docket No.: 49 - 18
Concil. Conf.: November 28, 2017 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 11, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 60 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 28, 2017 at 10:30 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Ally Financial (Claim No. 2) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: August 10, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

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 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Russell D. Bromley
 Lori A. Bromley
 Debtors

Case No. 17-10378-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

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 Total Noticed: 35

Date Rcvd: Aug 10, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2017.

db/jdb
 aty +Russell D. Bromley, Lori A. Bromley, 10181 Sherman Rd, Albion, PA 16401-8713
 +Jamie D. Hanawalt, Aldridge Pite, LLP, 4375 Jutland Dr. Ste. 200, PO Box 17933,
 San Diego, CA 92177-7921
 sp +Barbara Welton, Welton Law, 2530 Village Common Drive, Suite B, Erie, PA 16506-7204
 cr +Collins Asset Group LLC., Bass & Associates, P.C., 3936 E. Ft. Lowell Rd, Suite #200,
 Tucson, AZ 85712-1083
 cr +Nationstar Mortgage LLC, Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100,
 Boca Raton, FL 33487, U.S.A 33487-2853
 14407821 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 14404130 +AmeriCredit/GM Financial, Po Box 183853, Arlington, TX 76096-3853
 14404141 ++CONTINENTAL FINANCE COMPANY LLC, PO BOX 8099, NEWARK DE 19714-8099
 (address filed with court: Mabt/contfin, 121 Continental Dr Ste 1, Newark, DE 19713)
 14404133 +Comenity Bank, Po Box 182125, Columbus, OH 43218-2125
 14404134 +Comenity Bank/OneStopPlus.com, Po Box 182125, Columbus, OH 43218-2125
 14519473 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 14404140 +Home At Five, 1515 S 21st St, Clinton, IA 52732-6676
 14404142 +Midland Funding, Attn: Bankruptcy, Po Box 939069, San Diego, CA 92193-9069
 14404143 +Nationstar Mortgage LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
 14405375 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14404146 +Shapiro & DeNardo, 3600 Horizon Drive, Suite 150, King of Prussia, PA 19406-4702
 14404147 Square One Financial/Cach Llc, Po Box 5980, Denver, CO 80127
 14632624 +U.S. Bank National Association, Nationstar Mortgage LLC, PO Box 619096,
 Dallas TX 75261-9096
 14404149 +Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,
 Weldon Springs, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14404129 +E-mail/Text: ally@ebn.phinsolutions.com Aug 11 2017 01:19:40 Ally Financial,
 Po Box 380901, Bloomington, MN 55438-0901
 14416622 E-mail/Text: ally@ebn.phinsolutions.com Aug 11 2017 01:19:40 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14404131 +E-mail/Text: bkr@cardworks.com Aug 11 2017 01:19:39 Cardworks/CW Nexus, Attn: Bankruptcy,
 Po Box 9201, Old Bethpage, NY 11804-9001
 14404132 +E-mail/Text: bnc@bass-associates.com Aug 11 2017 01:20:33 Collins Asset Group,
 5725 W Highway 290 Ste 1, Austin, TX 78735-8722
 14404135 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Aug 11 2017 01:20:21
 Credit Management, LP, Attn: Bankruptcy, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
 14404136 +E-mail/PDF: creditonebknotifications@resurgent.com Aug 11 2017 01:21:17 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 14404137 +E-mail/Text: bknotice@erccollections.com Aug 11 2017 01:20:11 ERC/Enhanced Recovery Corp,
 8014 Bayberry Rd, Jacksonville, FL 32256-7412
 14404138 +E-mail/Text: bnc-bluestem@quantum3group.com Aug 11 2017 01:20:26 Fingerhut,
 6250 Ridgewood Rd, St Cloud, MN 56303-0820
 14404139 +E-mail/Text: bankruptcy.notices@hdfsl.com Aug 11 2017 01:20:28 Harley Davidson Financial,
 Attention: Bankruptcy, Po Box 22048, Carson City, NV 89721-2048
 14404127 +E-mail/Text: cio.bncmail@irs.gov Aug 11 2017 01:19:44 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 14404144 +E-mail/PDF: cbp@onemainfinancial.com Aug 11 2017 01:21:16 OneMain, Attn: Bankruptcy,
 601 Nw 2nd St, Evansville, IN 47708-1013
 14404145 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 11 2017 01:37:51
 Portfolio Recovery, Po Box 41067, Norfolk, VA 23541
 14666909 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 11 2017 01:21:19
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14404128 +E-mail/Text: RVSVBICNOTICE1@state.pa.us Aug 11 2017 01:19:55
 Pennsylvania Department of Revenue, Department 280946, Harrisburg, PA 17128-0001
 14404148 +E-mail/PDF: gecsedirecoverycorp.com Aug 11 2017 01:21:40 Synchrony Bank/Walmart,
 Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001
 14655667 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 11 2017 01:21:20 Verizon,
 by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Harley-Davidson Credit Corp
 cr Nationstar Mortgage LLC
 cr* +AmeriCredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14519269* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853

TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
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Total Noticed: 35

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***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Harley-Davidson Credit Corp bkgroup@kmlawgroup.com
Jeffrey G. Herman on behalf of Joint Debtor Lori A. Bromley JeffreyHerman@Live.com,
sebaldermancalendar@gmail.com;attorneyjeffreyherman@gmail.com;r59802@notify.bestcase.com
Jeffrey G. Herman on behalf of Debtor Russell D. Bromley JeffreyHerman@Live.com,
sebaldermancalendar@gmail.com;attorneyjeffreyherman@gmail.com;r59802@notify.bestcase.com
Lara E. Shipkovitz on behalf of Creditor Nationstar Mortgage LLC lshipkovitz@bernsteinlaw.com,
cwirick@bernsteinlaw.com;lshipkovitz@ecf.courtdrive.com;cwirick@ecf.courtdrive.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6